

120
AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

RCE #
2863
ATTORNEY DOCKET NO. 10982344-1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
JAN 20 2004
TC 2800 MAIL ROOM

Inventor(s): Jefferson B. Burch

Serial No.: 09/480,041

Examiner: Bui B.

Filing Date: January 10, 2000

Group Art Unit: 2863

Title: PERFORMANCE MONITORING IN DISTRIBUTED SYSTEMS USING SYNCHRONIZED CLOCKS AND DISTRIBUTED EVENT LOGS

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

NOTE: 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which Established RCE practice.

Submission under 37 CFR 1.114

☐ Previously submitted:

- ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____.
(Any unentered amendment(s) referred to above will be entered).
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☐ Other _____.

☒ Enclosed:

- ☒ Amendment/Reply
- ☐ Affidavit(s)/Declarations(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other _____.

Miscellaneous

- ☐ Suspension of action is requested under 37 CFR 1.103(c) for a period of _____ months.
The fee for this Suspension is (37 CFR 1.17(i)) \$130.00.
- ☐ Other _____.

RECEIVED
JAN - 7 2004
TECHNOLOGY CENTER 2800

01/02/2004 CNGUYEN 00000013 501078 09480041

01 FC:1801 770.00 DA

RCE filing fee \$770.00

☒ A Petition for Extension of Time

<input checked="" type="checkbox"/>	One month	\$110.00
<input type="checkbox"/>	Two months	\$420.00
<input type="checkbox"/>	Three months	\$950.00
<input type="checkbox"/>	Four months	\$1480.00

Please charge to Deposit Account **50-1078** the sum of **\$880.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Date of Deposit: December 22, 2003 **OR**

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Paul H. Horstmann

Signature: Paul H. Horstmann

Respectfully submitted,
Jefferson B. Burch

By

Paul H. Horstmann
Paul H. Horstmann
Attorney/Agent for Applicant(s)

Reg. No. 36,167

Date: December 22, 2003

Telephone No. (310) 376-0218



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventors: Jefferson B. Burch)	
)	Art Unit: 2863
Serial No.: 09/480,041)	
)	Examiner: Bui B.
Filed: 1-10-2000)	
)	
Title: PERFORMANCE MONITORING IN)	
DISTRIBUTED SYSTEMS USING)	
SYNCHRONIZED CLOCKS AND DISTRIBUTED)	
EVENT LOGS)	

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. §1.114(a)

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed 5-21-03 and in view of the Notice of Appeal filed 9-22-03, applicants respectfully request continued examination of the above-identified application in view of the following remarks under 37 C.F.R. §1.114 (a). The Patent Office is authorized to charge Deposit Account 50-1078 the fee set forth in 37 C.F.R. §1.17 (e). The authorization is also given on the accompanying transmittal letter (a duplicate copy of which is enclosed for deposit charging purposes).

This request is accompanied by a Petition for Extension of Time to extend the time for filing an Appeal Brief to 12-22-03 and this request is in lieu of an Appeal Brief.

RECEIVED
JAN -7 2004
TECHNOLOGY CENTER 2808